

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21034

RECEIVED

APR 19 2005

HARFORD COUNTY COUNCIL

Case No. 5487

Date Filed 04/07/05

Hearing Date _____

Receipt _____

Fee \$ 450

Shaded Areas for Office Use Only

Type of Application

- ☐ Administrative Decision/Interpretation
☐ Special Exception
☐ Use Variance
☐ Change/Extension of Non-Conforming Use
☐ Minor Area Variance
☐ Area Variance
☐ Variance from Requirements of the Code
☐ Zoning Map/Drafting Correction
☐ _____

Nature of Request and Section(s) of Code _____

CASE 5487 · MAP 19 TYPE Variance

ELECTION DISTRICT 05 LOCATION lot 7A, WS Deer Drive, Darlington

BY Ernest Chapman, 1524 Deerfield Road, Darlington, MD 21034

Appealed because an amendment to condition number 4 in Case # 4655 to allow the garage to exceed 50% of the square footage of the habitable space of the dwelling requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name ERNEST CHAPMAN Phone Number 410-457-4556

Address 1524 DEERFIELD RD DARLINGTON MD 21034
Street Number Street City State Zip Code

RE: DEER DR WEST SIDE PARCEL 490 LOT 7A

Co-Applicant _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Attorney/Representative _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Land Description

Address and Location of Property DEER DR. WEST SIDE

Subdivision _____ Lot Number 7A

Acreage/Lot Size 0.864 Election District 05 Zoning VR

Tax Map No. 19 Grid No. 3C Parcel 490 Water/Sewer: Private _____ Public _____

List ALL structures on property and current use: GARAGE

Estimated time required to present case: _____

If this Appeal is in reference to a Building Permit, state number _____

Would approval of this petition violate the covenants and restrictions for your property? NO

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No X

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes X No _____

Is this request within one (1) mile of any incorporated town limits? Yes _____ No X

Request

SHED ROOF EXTENTION OFF EXISTING GARAGE
USED FOR R.V. (13X36)

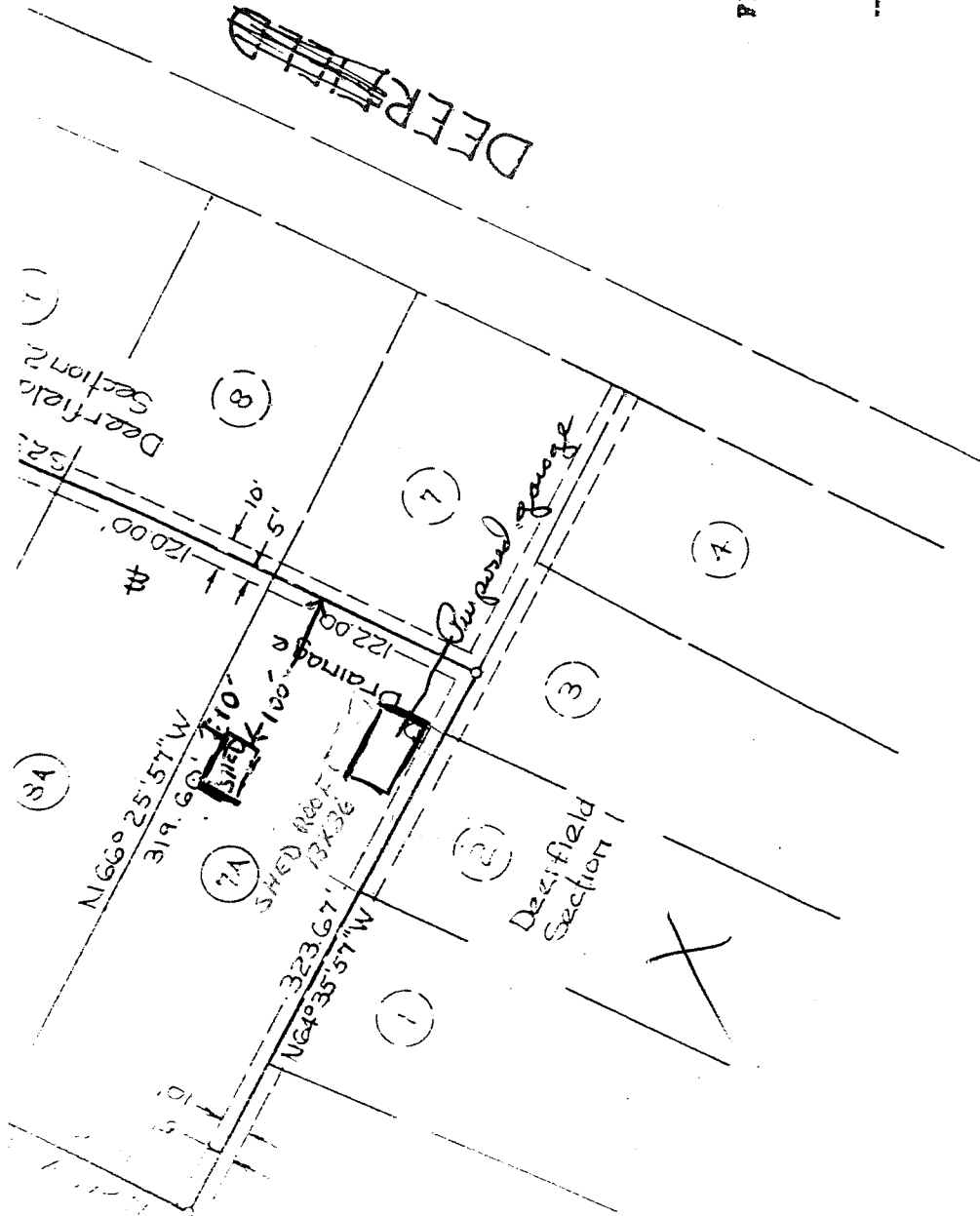
Justification

Protection for R.V. from weather. It is secluded in the woods
and not visible from any roads. It meets approval from any
neighbors with adjoining properties. Complaint was made
by disgruntled exicted tenant who was renting house
from me.

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

FINAL PLAT

DIR



L.C.B.
00' 17" E

RECORDING STAMP

11-15-74
DATE
DATE
DATE
11-16-74
DATE
11-16-74

THE OWNERS HEREBY GRANT TO HARFORD COUNTY, MARYLAND, AN EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, AND REPLACEMENT OF WATER, SEWERAGE AND STORM DRAINAGE LINES WITHIN THE DRAINAGE AND UTILITY, AND ROAD IMPROVEMENT RIGHT OF WAYS AS SHOWN ON THIS PLAT.

EACH LOT IN THIS SUBDIVISION IS SUBJECT TO A PERCOLATION TEST PRIOR TO SALE OR UPON APPLICATION FOR BUILDING PERMIT.

THE STREETS AND ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS IS FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. HIS SUCCESSORS, HEIRS, AND ASSIGNS.

NOT MORE THAN ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY LOT AND NO LOT WILL BE RESUBDIVIDED TO PRODUCE A BUILDING SITE OF LESS AREA OR WIDTH THAN THE MINIMUM REQUIRED BY SUBDIVISION REGULATIONS, OR THE COUNTY HEALTH OFFICER.

BOARD OF APPEALS CASE NO. 4655

BEFORE THE

APPLICANT: Ernest Chapman

ZONING HEARING EXAMINER

REQUEST: Variance to permit an existing structure and proposed structure without a principal structure; west side Deer Drive, Darlington

OF HARFORD COUNTY

HEARING DATE: November 20, 1996

Hearing Advertised

Aegis: 8/28/96 & 9/4/96

Record: 8/30/96 & 9/6/96

* * * * *

ZONING HEARING EXAMINER'S DECISION

The Applicant, Ernest Chapman, appeared before the Hearing Examiner requesting a variance to Section 267-26(C)(2) the Harford County Code for an existing structure and a proposed structure without a principal use in a VR District.

The subject parcel is located on the west side of Deer Drive in the Fifth Election District. The parcel is identified as Parcel No. 490 in Grid 3-C, on Tax Map 19. The parcel contains .864 acres, more or less, all of which is zoned Village Residential.

Mr. Ernest Chapman appeared and testified that he purchased the subject parcel several years ago with the intent of constructing a garage on the parcel. Mr. Chapman said that the parcel adjoins his property at 1524 Deerfield Road. The subject parcel is known as Lot 7A in the Deerfield subdivision. Mr. Chapman said that when he purchased the parcel, he was aware that the parcel would not perc and that his only intent in purchasing the parcel was to construct a garage. Mr. Chapman said the parcel is currently improved by a storage shed with dimensions of 12 feet by 14 feet and he said he would like to construct a garage on the parcel with dimensions of 24 feet by 36 feet. He said the garage would be one-story in height. The witness said the subject parcel is unique because although it is laid out as a subdivision lot, it cannot be built upon because the parcel will not pass the percolation test. The Applicant also said that the lot is landlocked. The Applicant said he did not feel the variance would be substantially detrimental to adjacent properties or materially impair the purpose of the Code because no protestants appeared in opposition to the request.

Case No. 4655 - Ernest Chapman

The Staff Report of the Department of Planning and Zoning recommends conditional approval and provides:

"The Department of Planning and Zoning is of the opinion that the circumstances surrounding this case are unique. Without approval of the requested variance, Lot 7A has minimal use. Granting the variance should have little or no adverse impact on the intent of the Code and/or adjacent properties."

CONCLUSION:

The Applicant is requesting a variance to Section 267-26(C)(2), which provides:

"No accessory use or structure shall be established on any lot prior to substantial completion of the construction of the principal structure."

The Applicant testified that the subject parcel will not perc and, therefore, the lot cannot be utilized for its principal purpose as a residential lot. The Applicant has constructed a storage shed with dimensions of 12 feet by 14 feet on the parcel and is requesting a variance to construct a one-story garage with dimensions of 24 feet by 36 feet. The Applicant said that the parcel is unique because it is completely landlocked and is without frontage and, also the parcel will not perc. The Applicant said he did not feel the variance would be substantially detrimental to adjacent properties or materially impair the purpose of the Code.

It is the finding of the Hearing Examiner that the subject parcel is unique for the reasons stated by the Applicant in his testimony and, further, that approval of the variance will not be substantially detrimental to adjacent properties or materially impair the purpose of the Code.

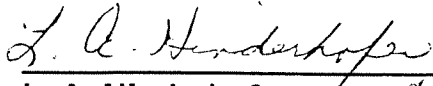
Therefore, it is the recommendation of the Hearing Examiner that the requested variance be approved, subject to the following conditions:

1. The Applicant obtain a permit for the existing shed. The shed shall be used for storage of personal items belonging to the Applicant and shall not be used in the furtherance of a business.
2. The Applicant shall obtain all necessary permits and inspections for the construction of the garage. The garage shall be for the Applicant's personal use.

Case No. 4655 - Ernest Chapman

3. The garage shall not be used to store commercial vehicles and/or contractors equipment such as bulldozers, backhoes, tractors, etc. The Applicant may store scaffolding and hand tools, etc., used in his home business. No outside storage shall be permitted.
4. The proposed garage shall not exceed 50% of the square footage of habitable space, nor exceed the height of the dwelling. No part of the garage shall encroach into the 5 foot drainage and utility easement on the property.

Date DECEMBER 17, 1996



L. A. Hinderhofer
Zoning Hearing Examiner

SHOULD THIS APPLICATION BE DENIED FOR ANY REASON, ONLY 50 % OF THE FEE WILL BE REFUNDED

BUILDING PERMIT WORKSHEET

 Permit No. 00352B0080

WORKSHEET MUST BE SIGNED Grading Permit No. _____

Owner Authorization Letter _____

Applicant - Complete Shaded Area (Please Print Clearly)

 Application Date: SEPT. 8, 2000

 Address/Location of Work Site (include city): LOT # 07A DUBLIN

 Subdivision: DEERFIELD

 Water No Sewer No

 Private Septic No Well No

 Permit Request for: GARAGE to rear of ~~the~~ property

 Height of Structure: 18' Number of Stories: 1 Finish Basement No Construction Cost: \$ 10,000.

 Is this permit application the result of a zoning enforcement investigation or Stop Work Order? No

 Does this request violate your covenants or restrictions for your property? No

Applicant Information

 Name: ERNEST CHAPMAN

 Phone: (410) 836-3995

 Address: 1524 DEERFIELD RD. DARTINGTON MD. 21034

Street #

Street

City

State

Zip

Property Owner Information

 Name: ERNEST CHAPMAN

 Phone: (410) 836-3995

 Address: 1524 DEERFIELD RD. DARTINGTON MD. 21034

Street #

Street

City

State

Zip

Contractor Information

 Name: CHAPMAN MASONRY INC.

 Phone: (410) 836-3995

 Address: 1524 DEERFIELD RD. DARTINGTON MD. 21034

Street #

Street

City

State

Zip

 MD Home Improvement License #: 11478

 Verified ☐ Contractor's #: 267-26(C)(2)

 Map: 0019 Grid: 0003C Parcel: 0935 Lot No.: 07A Section No.: 33/09 Plat No.: 33/09

 Building Use: 085 Type Work: BLKNO1 TZ: 247 Tax ID: MAP 19 1305019176

 Acreage/Lot Size: .864 Census Tract Number: 3052 Field Card: 02368

 Electricity: No Plumbing: No Type Heat: No

 Zoning District: 5TH VR Board of Appeals Reference: 4655

 Forest Conservation: Grandfathered Exempt ☒ Approved Plan _____

Plan Information

Plans Submitted: _____ Model: _____ Number of Bedrooms: _____

 Number of Full Bathrooms: No Number of Half Bathrooms: No Number of Fireplaces: No

Fee Calculation

Width	X	Length	X	Floors	=	Square Feet	X	Rate	=	Fee
<u>24'</u>	X	<u>36'</u>	X	<u>1</u>	=	<u>864</u>	X		=	<u>69-</u>
<u>28</u>	X	<u>42</u>	X		=	<u>1176</u>	X		=	
	X		X		=		X		=	

ZONING CERTIFICATION FOR THIS PERMIT IS APPROVED BASED ON THIS SITE PLAN AND INFORMATION SUBMITTED WITH APPLICATION.

I have carefully examined and read this application and the same is true and correct to the best of my knowledge and belief. In doing this work, all provisions of the Harford County Codes and laws of the State of Maryland will be complied with, whether specified or not. I will notify the Department of Inspections, Licenses and Permits twenty-four (24) hours in advance, when I am ready for inspections. No work will be concealed until approved. Consent is given for the entry of authorized inspectors until the job has received a Certificate of Occupancy.

 Print Name ERNEST CHAPMAN

 Signature Ernest Chapman Date 9/8/00

Caution: A permit will expire one (1) year from date of issue, unless work is started and diligently pursued.

47035B0080



HARFORD COUNTY GOVERNMENT

PERMIT NUMBER: 2000252B0080

DATE OF ISSUE: 09/13/2000

THIS PERMIT IS ISSUED TO: CHAPMAN ERNEST
FOR THE WORK DESCRIBED BELOW:

JOB ADDRESS: 1524 DEERFIELD RD 21034 0000

SUBDIVISION: DEERFIELD

TAX ID: 1305019176

MAP: 0019 GRID: 0003C PARCEL: 0435 LOT: 0007A SECT: 0S2 PLAT: 33/09

TYPE WORK: BUILD NEW STRUCTURE

WORK DESC: DETACHED GARAGE IN REAR PROPERTY

SPECIAL CONDITIONS: MUST MEET CONDITIONS OF CASE 3052

CONTRACTOR NAME CHAPMAN ERNEST

PHONE NO. 410-836-7880

INFORMATION ADDRESS 1524 DEERFIELD ROAD

CITY, ST ZIP DARLINGTON MD 21034 0000

MD HOME IMPROVEMENT LICENSE # 00000

TRADE REGISTRY # 00000000

OWNER NAME CHAPMAN ERNEST

INFORMATION ADDRESS 1524 DEERFIELD ROAD

CITY, ST ZIP DARLINGTON MD 21034 0000

APPLICANT NAME ERNEST CHAPMAN

INFORMATION ADDRESS 1524 DEERFIELD RD

CITY, ST ZIP DARLINGTON MD 21034 0000

PLAN INFORMATION AND FEE CALCULATION

ACREAGE/LOT SIZE 122/112X322 AVG ELEVATION 18 CENSUS 3052

ELECTRIC N PLUMBING N BUILDING HEIGHT 18 NO. STORIES 01

NO. OF BEDROOMS 0 NO. OF FULL BATHS 0 NO. OF HALF BATHS 0

ZONING DISTRICT VR BOARD OF APPEALS REFERENCE 4655

WATER/SEWER NOT APPLICABLE

WIDTH	X	LENGTH	X	FLOORS	=	SQ. FT.
28		42		1		1,176

0
0
0
0
0
0
0
0
0
0

TOTAL SQ FT 1,176

TOTAL FEE \$69.00

9/13/00

PERMIT ADMINISTRATOR

DATE PROCESSED

THIS PERMIT MUST BE POSTED ON THE SITE DURING CONSTRUCTION.

CAUTION: THIS PERMIT WILL EXPIRE ONE (1) YEAR FROM DATE OF ISSUE,
UNLESS AN EXTENSION IS GRANTED BY THE DEPARTMENT

220 SOUTH MAIN STREET / BEL AIR, MD 21014-3865
BUILDING SERVICES (410) 638-3366 / ELECTRICAL SERVICES (410) 638-3363
PLUMBING SERVICES (410) 638-3215 / PLANNING AND ZONING (410) 638-3103

Deaf TTY (410) 638-3086

